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February 25, 2015

Via Facsimile: 303-312-6339

Shaun McGrath  
Region VIII EPA Administration  
1595 Wynkoop St  
Denver, CO 80202-1129

**RE: WDEQ's Final Determination Regarding Categorical Use Attainability Analysis for Contact  
Recreational Use Designations**

Dear Administrator McGrath,

On behalf of the Campbell County Conservation District (CCCD) in Gillette, Wyoming, we would like to address certain issues discussed in the letter from the Wyoming Outdoor Council (WOC) to you dated January 5, 2015. Two staff members assisted WDEQ by validating the UAA model with field verifications at 29 sites in Campbell County in 2010.

We would like to address the inaccurate statements in the Wyoming Outdoor Council (WOC) letter which was sent to your office and twelve WOC endorsers beginning with the 7<sup>th</sup> paragraph on page six of their letter which reads:

*The DEQ, in conjunction with some of the conservation districts, conducted approximately 850 surveys, which amounts to one survey per 135 stream miles (100k NHD) and one survey per 331 stream miles (24k NHD). Certainly, any assertion that information collected from these field surveys is representative of the complex of the surface water system encompassing the entire state of Wyoming cannot be accepted. Moreover, although the conservation districts "visited over 700 sites to help validate the UAA. None of these sites took place during the summer recreation season. UAA at 20. The DEQ claims "the photographs are shown only to depict channel and flow characteristics" without acknowledging that flow characteristics during the fall are not at all characteristic of flows that one would encounter on those streams in June, July or August, the primary outdoor recreation season.*

The portion claiming none of the UAA site visits were completed during the summer recreation season is not true and is misleading. CCCD visited all 29 of the WDEQ's randomly selected sites in Campbell County, July 2010 through September 2010. As verified by the landowner signatures.

There were two separate public comment periods where WOC did not comment during these designated time periods. We would like to call attention to the comment time as stated in paragraph two on page 3 of their letter, they *discovered the DEQ's August 20, 2014 decision in late December*, four years after the initial site visits began and two years after the first draft was published by the DEQ.

The photo exhibits the WOC provided show only legal descriptions of where the photographs were taken whereas the CCCD provided GPS coordinates for accuracy.  
In paragraph four on page 2 of their letter:

*The approach utilized by Wyoming did not consider site-specific information that can be vital in determining the potential for recreation uses to occur.... Even more importantly, the Wyoming approach did not consider the site-specific information regarding existing recreation uses, including information that be readily obtained from knowledgeable individuals living in the area.*

The WDEQ addressed EPA's concerns in 2010 requiring questions from the land managers or landowners to accompany the UAA model checklist information. The following questions were asked and signed by the land manager representative or the private landowner. The following questions were asked at each of the sites visited by CCCD:

1. Name of landowner/manager?
2. Years owning /managing lands?
3. What recreational activities/uses have you witnessed in the waterbody? (i.e. swimming , fishing, boating, kayaking, wading, no activities)?
4. What is the amount of time you spend on or near the area from May –October?
5. What time of flow patterns have you observed from May to October on the waterbody?
6. What is the accessibility to the area by the public?
7. Is there any other pertinent information related to the waterbody and/or area that you would like to share?

The CCCD has dedicated itself to the people, the water and the natural resources of Campbell County. The District questions the motivation behind the Wyoming Outdoor Council to disseminate misinformation while soliciting funding. The site visits in Campbell County were conducted thoroughly and professionally. All work conducted at these sites were in the best interest of the people of Campbell County and its resources.

Sincerely,



Jennifer Hinkhouse  
District Manager

Cc: Wyoming Association of Conservation Districts  
Wyoming Department of Environmental Quality